

United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 5651-5700.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., Apr. 11, 1918.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

5651. Adulteration and misbranding of vinegar. U. S. * * * v. 12 Barrels * * * 5 Half-barrels * * * 80 Cases * * * and 4 Casks * * * of Vinegar. U. S. * * * v. 23 Barrels * * * 50 Cases * * * and 1 Cask * * * of Vinegar. Product ordered released on bond. (F. & D. No. 7464. I. S. No. 11174-I. S. No. C-529, C-529-a.)

On May 24, 1916, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 12 barrels, 5 half-barrels, 80 cases, each containing 6 one-gallon jugs, and 4 casks, each containing 60 quart bottles, 23 barrels, 50 cases, each containing 6 one-gallon jugs, and 1 cask, containing 60 quart bottles, of vinegar, consigned on March 23, 1916, by the Wallace McLean Vinegar Co., Memphis, Tenn., and remaining unsold in the original unbroken packages at Pine Bluff and Stuttgart, Ark., alleging that the article had been shipped and transported from the State of Tennessee into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Elko Brand Pure Apple Cider Vinegar."

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of distilled vinegar or of dilute acetic acid, which had been substituted for and mixed with said apple vinegar so as to reduce and lower and injuriously affect its quality and strength.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, and that it deceived and misled in that the label, "Pure Apple Cider Vinegar," was a misnomer and was untrue and was false and misleading.

On January 27, 1917, the said Wallace McLean Vinegar Co., claimant, having admitted the allegations of the libels and having executed bonds in the aggregate sum of \$1,000, in conformity with section 10 of the act, it was ordered by the court that the product should be released to said claimant.

C. F. MARVIN, *Acting Secretary of Agriculture.*